



STATE OF MINNESOTA

BOARD OF SOCIAL WORK

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AUG 07 2002

REGULAR BOARD MEETING
University Park Plaza
University Conference Room A – 4th Floor
2829 University Avenue SE
Minneapolis, Minnesota 55414

May 24, 2002

MINUTES

Members Present: Kathleen Beehler, LSW
Miriam Bergmark, Public Member
Anthony Bibus, III, LISW
Paul Gaston, LSW
Barbara Kaufman, LISW, Vice-Chair
Margaret Sebring Khali, LSW
Peter Langseth, LSW, Secretary-Treasurer
Anoma Mullegama, LICSW
Steven Sawyer, LICSW, Chair
Antonia Wilcoxon, Public Member
Michael Yang, Public Member

Members Absent: Jane Braun, LSW
Marilyn Kiloran, LICSW
Lois McDougall, Public Member

Staff Present: Louis Hoffman, Director of Compliance
Brenda Mammenga, Compliance Coordinator
Sheryl McNair, LICSW, Staff Social Worker
Connie Oberle, Office Manager
Penny Troolin, Executive Director
Kate Zacher-Pate, LSW, Director of Licensure

I. CALL TO ORDER; ADDITIONS TO AND APPROVAL OF AGENDA

Chair Sawyer called the meeting to order at 10:05 a.m.; a quorum was present. The agenda was approved, with the following amendments:

- 1) Add agenda item G. under IX. Where G. would be "Committee Appointments;" and

- 2) Changes to the Board member address list which are as follows:
Barbara Kaufman's e-mail address has an underscore: Barbara_Kaufman
Kathleen Beehler is at Davida Dialysis, Cass Lake

Introduction of new Public Board member, Michael Yang and Board introductions.

II. APPROVE MINUTES FOR MARCH 22, 2002 BOARD MEETING

A motion was made by Bibus, seconded by Kaufman, to approve the minutes for the March 22, 2002 Board meeting with the following correction: Bibus "recused" himself rather than "abstained," page three, paragraph 2., "Contested Case." The motion carried unanimously.

III. EXECUTIVE DIRECTOR'S REPORT

Troolin explained new departure date. Defer to written Executive Director report.

IV. DISCIPLINARY MATTERS (Executive session – meeting closed at 10:20 a.m.)

1. In the Matter of Marlene C. Alt, LSW License #15147. The Board of Social Work received Notice of License Revocation from the Minnesota Department of Revenue. The Attorney General's Office drafted three alternate orders: 1) revoke today; 2) revoke immediately; and 3) revoke effective June 21, 2002. Alt can be reinstated after we receive tax clearance certificate. **A motion was made by Bibus, seconded by Kaufman, to adopt the order of revocation effective June 21, 2002. The motion carried unanimously.**

2. Todd Fierst, LSW License # 13555. Stipulation and Order. Complaint Panel members are Braun and Sebring Khali. Bibus recused himself. Licensee admitted sexual relationship with intern. He's in therapy. No conference because he agreed to Stipulation and Order. Terms of order: 1) HPSP; 2) sign waivers; 3) cannot provide supervision to any person working to meet their social work licensing requirements; and 4) \$1,000 assessed for partial reimbursement for the Board's costs. **A motion was made by Langseth, seconded by Bergmark, to adopt the Stipulation and Order. The motion carried unanimously with Bibus recused.**

(The meeting was re-opened to the public at 10:25 a.m.; Bibus returned).

V. PETITION FOR REINSTATEMENT OF EXPIRED LICENSE

1. In the Matter of the Petition for Reinstatement of LSW License # 6271. Zacher-Pate presented background information relating to the Licensee's petition for reinstatement, referring to cover sheet and her letter (attached). **A motion was made by Bergmark and seconded by Kaufman to accept staff recommendation. Langseth recommended tabling consideration of the case. Sebring Khali motioned to table consideration of the case, Bibus seconded. The motion carried with Beehler, Bibus, Khali, Langseth, Wilcoxon and Yang in favor of the motion, and Bergmark, Gaston, Kaufman and Mullegama opposed. Bibus would like the**

Board to create a committee to meet with staff to recommend policy change. Volunteers included Sebring Khali, Bibus, Yang, and Wilcoxon.

VI. CONTINUING EDUCATION HOUR VARIANCE REQUEST

Variance authority has been delegated to staff, but this case needs Board interpretation of the rule governing variance. The Licensee exceeded the ten-hour limitation of individual activities by 8 additional hours; all completed within one month, and some which were not acceptable. **Langseth made a motion, seconded by Bibus, to deny Licensee's request to use the 8 additional home study CEH's, but granted a variance of 60 additional days to complete acceptable CEH's. The motion carried with Gaston opposed.** Discussion resulted in the Board deciding to interpret the rule strictly, which does not allow for the opportunity to exceed program limitations. Current staff practice will not change based on previous Board delegation of authority.

VII. SCOBO REPORT

In January 2000 the Board created SCOBO, with Barbara Kaufman chairing. She acknowledged the efforts of the committee members, including Bibus, McDougall and Board staff. **Kaufman made a motion, seconded by Bibus, to accept the final report and complete implementation of the recommendations. The motion carried unanimously.**

All recommended that statute/rule changes should be pursued where necessary to implement SCOBO initiatives, while moving forward to implement initiatives that do not require statute/rule changes.

VIII. STAFF REPORTS

Minnesota Merit System information; received handouts. MMS has agreed to accept ASWB's examination as an alternative to the MMS exam publicly via notice on the web, information included in application materials and information distributed to MCSWE. MMS change in policy was successful because of the collaboration of the Coalition of Licensed Social Workers, MMS, the Board of Social Work, county supervisors, etc.

Strategic Information Resources Management Plan (SIRMP) highlights. The final report is near completion and will be presented to the Board at a future meeting.

IX. BOARD COMMITTEE REPORTS

A. Application Review Committee (ARC)

Bibus reported that 25 licenses have been granted, mostly to LGSW and Asian/Pacific Islander categories. Yang would like access to public data regarding applicants/licensees. Zacher-Pate will provide public, summary data. Langseth asked about publicity. Zacher-Pate said the information is on the Board web site, and information is included in application materials. Langseth suggested doing a press release at the one-year anniversary of the FB/ESL legislation, and include information in social work

newsletters. A motion was made by Langseth, seconded by Kaufman, to refer to the ARC the need to publicize FB/ESL law to communities of color, encouraging the spirit of the law, and have ARC report back in July. The motion carried unanimously.

B. Compliance Committee

Barbara Kaufman from the Compliance Committee reported that the panel is waiting for legal advice on dismissals; Hoffman reported that 13 cases from 2001 and 30 cases from 2002 are not yet resolved. Other discussion: 1) the Publication Policy was deferred to a future meeting; 2) Complaint Resolution Process Guidelines need to be reviewed by the Board in July; and 3) discussion about licensees who return to practice before applying for an active license. A motion was made by Kaufman, seconded by Bibus, stating if a licensee returns to social work practice for a period of 60 days or less, prior to initiating a request to reactivate the license, the application will be approved. In addition a letter will be sent advising the licensee that they have violated both statute and rule. If a license returns to social work practice for a period of more than 60 days, prior to initiating a request to reactivate the license, the application will be referred to the Board's Compliance Panel for consideration. The motion carried unanimously.

C. Executive Committee

Executive Committee Chair Sawyer reported that the Executive Committee had not met since the last Board meeting, but they would meet in three days to evaluate Penny Troolin.

D. Finance Committee

Finance Committee Chair Langseth referred to a draft report. There was a discussion about the Board not having insurance coverage for its property. Staff will look into this. Bergmark requested all Board materials be copied double sided.

(The board recessed for lunch at 11:58 a.m. and reconvened at 12:37 p.m. Yang was absent. The Board moved directly to agenda item IX. E.)

E. Legislative/Rules Committee

The Committee will meet with Frank Merriman, to set up a meeting schedule. It will also meet with the Advisory Committee, which Gaston will attend in June. The goal is to have a timeline for legislative committee activities by the July meeting.

F. Licensure Exam Study Work Group

Licensure Exam Study Work Group Chair Langseth reported that at the last meeting four people agreed to make contact with four people/researchers to get ideas as to time/cost/how to approach the exam study issue. The group will meet in June to discuss findings from the four people/researchers. Preliminary estimates from Steve Maxwell and Troolin range from \$20,000-

\$40,000. Other discussions: 1) Vigil cannot participate as sabbatical denied; 2) check with Minnesota Merit System regarding success of community of color, specific to the MMS exam; and 3) must report back to Legislature re: progress of study in September 2003.

G. Committee Appointments

Compliance Committee appointed Anoma Mullegama to replace Marilyn Kiloran
Application Review Committee appointed Michael Yang
Licensure Exam Study needs to replace Michael Yang (could Yang recommend someone from the Urban Coalition?)
Finance Committee appointed Antonia Wilcoxon

X. OTHER COMMITTEE/ORGANIZATION REPORTS

A. Advisory Committee

Met in April. Attendees: Kaufman, Bibus, Alan Ingram, Pam Berkwitz and Pam Luinenburg. The Board was referred to the Committee's written minutes. Berkwitz is looking forward to working with the Legislative Committee. Luinenburg reported that the Coalition has been meeting with county people regarding social work licensure issues, and meetings are going well. DISCUSSION re: reinstatement/restoration: there should be consequences if a licensee allows their license to expire, but there should be consideration of other options for relicensure. The Board does not want to lose jurisdiction over practitioners, including county social workers.

B. Association of Social Work Boards (ASWB)

Bibus reported on ASWB's spring conference in Milwaukee. Zacher-Pate and McNair also attended. Zacher-Pate was appointed to the ASWB Finance Committee beginning January 2002. Bibus is on the DARS Committee and will meet with Rick Reamer in June.

(Yang returned to meeting at 1:05 p.m.)

C. Council of Health Boards

No report.

D. E-Therapy

Zacher-Pate reported that the committee is compiling data to draft a final report regarding committee activities and survey results.

E. Health Professionals Services Program (HPSP)

Bibus reported that Joan Monahan, LSW is a new caseworker at HPSP. The caseload per caseworker is currently at 100, but it is expected to increase to 119/130 in 2003/2004, likely causing the need for additional staff. As HPSP program costs increase, one option is to impose a \$2 user fee surcharge, or split the increase between the Board and participant.

XI. PUBLIC COMMENT

Alan Ingram, Executive Director of NASW noted that positive benefits of MMS policy change regarding the ASWB exam are not known, but that metro counties are noticing and may want to move in this direction. Ingram mentioned NASW's annual conference scheduled for May 6-7, 2002. He also announced that Penny Troolin would be awarded Public Citizen of the Year Award during the awards luncheon.

Other Business

Delegation of authority. A motion was made by Kaufman, seconded by Sebring Khali, which assigned the Board of Social Work Chair to give signature authority to the Executive Director. The motion carried unanimously.

XII. ADJOURN

The meeting adjourned at 1:40 p.m.

Respectfully submitted,



PETER LANGSETH, LSW
Secretary-Treasurer